



**U.S. Department
of Transportation**

**Federal Motor Carrier
Safety Administration**

**PROGRAM TO ASSIST VETERANS TO
ACQUIRE COMMERCIAL DRIVER'S
LICENSES
REPORT TO CONGRESS**

A Report Pursuant to Section 32308 of the
Moving Ahead for Progress in the 21st Century Act (P.L. 112-141)

November 2013

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CHAPTER 1 – INTRODUCTION

Over 60,000 Service members are assigned to military occupational specialties that involve the operation of a wide range of heavy vehicles that are part of the military's complex, multibillion-dollar distribution system for delivering needed supplies and equipment to U.S. forces across the world. Many of these vehicles are nearly identical to the commercial motor vehicles (CMV) operated in the civilian sector, and the military utilizes for-hire carriers to supplement its military distribution system. Federal regulations do not require military drivers to acquire a civilian Commercial Driver's License (CDL) during military service. This fact poses unique challenges for these drivers as they transition from active duty to the civilian workforce. Commercial carriers require new CDL hires to validate a safe driving history as well as show proof of civilian CMV driving experience.

STATUTORY REQUIREMENTS AND SECRETARY'S RESPONSE

Congress recognized the challenges posed to returning military Veterans in the most recent transportation reauthorization bill, *Moving Ahead for Progress in the 21st Century Act* (MAP-21). Section 32308 of MAP-21 directs the Secretary of Transportation, in consultation with the Secretary of Defense, and in cooperation with the States, to conduct a study to assess regulatory, economic, and administrative challenges in obtaining CDLs by members and former members of the Armed Forces who received training and operated military CMVs safely during their service.

The statutory specifications for the Study include:

- Identify written and behind-the-wheel safety training, qualification standards, knowledge and skills tests, or other operating experience members of the Armed Forces must meet to satisfy the minimum standards;
- Compare the alcohol and controlled substances testing requirements for members of the Armed Forces to those required for holders of CDLs;
- Evaluate the cause of delays in reviewing applications for CDLs of members and former members of the Armed Forces;
- Identify duplicative application costs;
- Identify residency, domicile, training and testing requirements, and other safety or health assessments that affect or delay the issuance of CDLs to members and former members of the Armed Forces; and
- Include other factors that may be appropriate to meet the requirements of the study.

The statute also requires the Secretary to provide a report summarizing the findings and recommendations of the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Financial Services of the House of Representatives.

The law also specifies that the report include the following elements:

- Findings of the study;
- Recommendations for the Federal and State legislative, regulatory, and administrative actions necessary to address challenges identified by the findings of the study; and
- Development of a plan to implement the recommendations for which the Secretary has authority.

MILITARY AND CIVILIAN CMV DRIVERS

Simplifying the process for military CMV drivers to obtain a civilian CDL is important because significant numbers of these drivers have the training and experience to transfer directly to civilian CMV jobs. Military CMV drivers can help to meet the driver shortages experienced by civilian employers.

MILITARY CMV DRIVERS

Three military Service branches have members whose primary occupation directly relates to the civilian truck driving job market. The military occupation codes (MOCs) and duties of these Service members include:

- *Army 88M Motor Transport Operator*
- *Marine Corps 3531 Motor Vehicle Operator*
- *Air Force 2T1X1 Vehicle Operations*

Military CMV drivers in the U.S. Army and the U.S. Marine Corps rank among the most populated MOCs in those Service branches (according to the Defense Manpower Data Center as of September 2012). The Army 88M - Motor Transport Operator category encompasses the largest number of military CMV drivers among the Services, with almost 48,000 soldiers. This population represents 5.4 percent of all active duty, National Guard, and Reserve personnel in the Army. The second largest group of military CMV drivers is the Marine Corp's MOC, 3531 - Motor Vehicle Operator category, which includes more than 9,200 Marines comprising 5.1 percent of all active duty and Reserve personnel in the Marine Corps. In contrast, the Air Force MOC, 2T1X1 - Vehicle Operator category, includes more than 3,300 Airmen and encompassing about one percent of all active duty, National Guard, and Reserve personnel in the Air Force.

All four branches of the military Services also license *incidental operators*. These truck drivers are assigned to other occupational specialties (cooks, radiomen, gunners, storekeepers, etc.) but are also licensed by their respective Services to drive trucks occasionally as collateral duty. Military officials estimate that the number of incidental operators exceeds the 60,000 Service members assigned as primary designated drivers.

CIVILIAN CMV DRIVERS

Civilian job prospects for CMV drivers vary according to the types of vehicles driven and the type of CDL endorsement held. There are four civilian occupations that directly relate to military drivers:

- Heavy and Tractor-Trailer Truck Drivers
- City and Tour Bus Drivers
- School Bus Drivers
- Light Truck or Delivery Services Drivers

The Department of Defense (DoD) has determined that the civilian job most relevant to the majority of military CMV MOCs is the Heavy and Tractor-Trailer Truck Drivers, which equates to the civilian Class 'A' CDL, typically for large 18-wheel vehicles. The civilian labor market outlook for all four civilian truck driving classes is very positive. During the period 2010 to 2020, the need for Class 'A' drivers is expected to grow by more than 17 percent, which is faster

than the national average for other occupations while the other three civilian occupations are expected to grow at the national average.

THE NATIONAL CDL SYSTEM

The Federal Motor Carrier Safety Administration (FMCSA) is an operating administration of U.S. Department of Transportation (DOT) charged with reducing crashes, injuries, and fatalities involving large trucks and buses. To comply with its highway safety mission, FMCSA sets minimum standards for CMV operators, including the issuance process for CDLs, physical qualification standards, and drug and alcohol testing requirements. The minimum national CDL testing standards and licensing requirements established by FMCSA are ultimately administered by State Driver Licensing Agencies (SDLA) when issuing a CDL.

States may issue learner's permits and CDLs to drivers only after the applicant passes prescribed knowledge exams and skills tests. Each State and the District of Columbia administer both written and skills tests and conduct license history checks for CDL applicants to ensure compliance with the minimum program standards before issuing a CDL.

In support of a unified approach to licensing, the American Association of Motor Vehicle Administrators (AAMVA) represents the interests of the SDLAs and encourages uniformity and reciprocity. AAMVA serves a critical role as a liaison with other levels of government as well as the private sector.

Both FMCSA and DoD have been working with AAMVA to enhance the processes and procedures that will ultimately ease the transition of experienced military truck and bus drivers to civilian life and help them obtain a CDL while at the same time ensuring that those drivers are qualified and have maintained a safe driving record.

RECENT INITIATIVES FOR SERVICE MEMBERS AND VETERANS

FMCSA has long recognized the importance of helping military CMV drivers maximize their civilian career prospects and has worked to lower barriers for the employment of ex-military CMV drivers in the motor carrier industry.

In May 2011, FMCSA issued a Final Rule titled *Commercial Driver's License Testing and Commercial Learner's Permit Standards* [76 FR 26854, May 9, 2011]. This rule allows States to waive the CDL Skills Test for Service members and recently separated Veterans with 2 years of safe driving experience in similar vehicles [49 CFR 383.77].

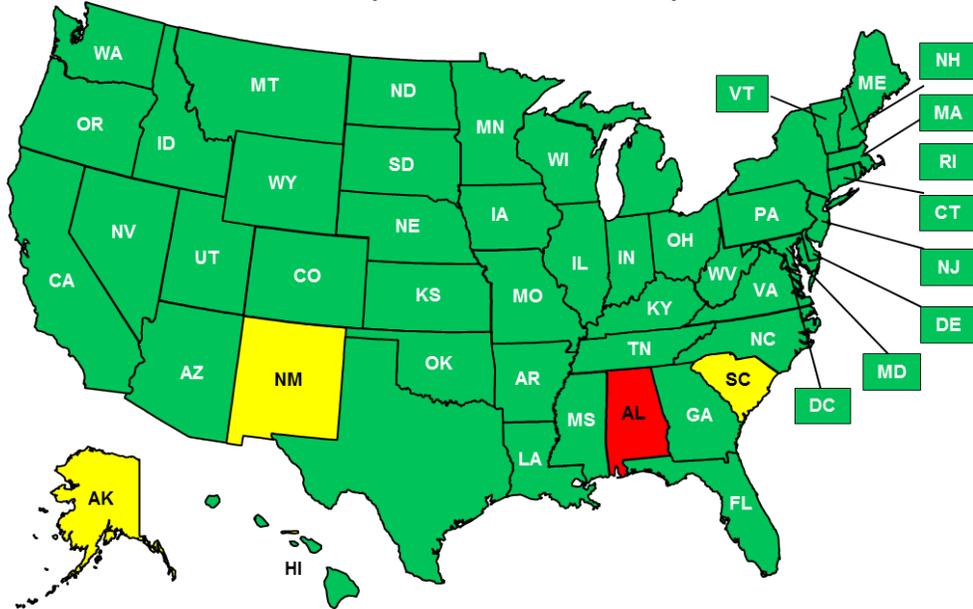
To assist in facilitating the Skills Test Waiver process, FMCSA, in partnership with the Army Reserve and AAMVA:

- Identified the gaps between driver testing conducted by the Army and the testing standards developed by AAMVA; and,
- Mapped every Army vehicle classification to the corresponding civilian CDL class.

To implement these activities FMCSA, AAMVA, and the U.S. Army Transportation Command developed the Military Skills Test Waiver form to standardize the process across the Nation. As

of October 2013, 46 States and the District of Columbia offer the Skills Test Waiver and three States are in the process of implementing the waiver. One State does not offer the waiver.

Military Skills Test Waiver by State



| | |
|---|-----------|
| States that offer the Military Skills Test Waiver | 47 |
| States preparing to offer Skills Test Waiver - but not yet activated | 3 |
| State that do not currently offer the Military Skills Test Waiver | 1 |

Together, DOT and FMCSA have hosted a series of roundtables that included representatives of military Services, States, motor carriers, training groups, and highway safety partners to discuss options for facilitating civilian licensing of Service members and Veterans. The Secretary of Transportation also hosted a Veterans’ Transportation Career Forum inviting both DoD and private sector participants to identify steps all participants could take to ease military drivers’ transition to civilian transportation careers. Representatives of DOT participated in the Transportation Roundtable of the White House Forum on Military Credentialing and Licensing.

THE DOMICILE RULE

FMCSA regulations restrict the issuance of a CDL by the SDLA to the State within which the individual has his or her domicile (i.e., primary residence) [see definitions of CDL and “commercial learner’s permit” (CLP) in 49 CFR 383.5, and 49 CFR 384.212]. The recently passed Military Commercial Driver’s License Act of 2012 (Public Law 112-196) allows States to provide a waiver to this requirement for active duty Service members. SDLAs are limited to issuing CDLs under the waiver to those active duty Service members whose temporary or permanent duty station is within their State. The waiver process, when enacted by a State will be limited to military Service members on active duty, so it does not apply to Veterans. FMCSA will work with the States to develop standard procedures for accommodating this waiver.

CHAPTER 2 – CDL REQUIREMENTS: PREREQUISITES FOR EMPLOYMENT AS A CIVILIAN COMMERCIAL DRIVER

Civilian CMV drivers are required to obtain and hold a CDL in order to operate a CMV.

CHALLENGES OF CDL LICENSING FOR SERVICE MEMBERS AND VETERANS

The procedures and requirements for obtaining a CDL can pose both logistical and financial challenges for Service members and Veterans who operate vehicles similar to CMVs in the military but wish to transition to a civilian driving career. For example, a CDL applicant must supply a vehicle in order to perform the skills test. A Service member or Veteran who is not supported by a trucking company or a truck driver training school may have difficulty meeting this requirement. The lack of experience with specific equipment such as manual transmissions and air brakes also poses challenges which can lead to CDL restrictions that make it difficult for Veterans with military CMV experience to secure civilian employment.

CDL KNOWLEDGE AND SKILLS TESTING PROCEDURES AND REQUIREMENTS

Obtaining a CDL is typically a two-step process during which an applicant is required to pass both a knowledge test(s) and a skills test. There are additional testing requirements if the applicant wishes to drive a vehicle containing hazardous materials, a tank vehicle, a vehicle transporting passengers, a school bus, or a vehicle with more than one towed unit (double or triple trailers).

The first step in obtaining a CDL is the CLP. To obtain a CLP, the applicant must be 18 years of age or older and hold a valid driver's license issued by the same SDLA that issues the CLP. The applicant must pass the CDL general knowledge test covering 20 categories of information. Once the CLP has been issued, the CLP holder must be accompanied by a valid CDL holder with the proper endorsements during any practice driving. A CLP holder is not eligible to take the CDL skills test in the first 14 days after initial issuance of the CLP.

The CDL requires the applicant to pass a skills (driving) test in the specific type and class of vehicle that s/he intends to drive. The applicant may also be required to pass one or more specialized knowledge test segments to qualify to operate specific types of CMVs with specific types of equipment, such as manual transmission and air brakes. The skills test process includes a pre-trip vehicle inspection test, a basic vehicle control test, and an on-road driving skills test.

THE CDL SKILLS TEST: CHALLENGES FOR SERVICE MEMBERS AND VETERANS

For applicants seeking a CDL, a key challenge is the requirement to appear in person for the skills test, accompanied by a licensed CMV driver, and with a vehicle representative of the license class for which the driver is applying. This means a Service member or a Veteran must find a qualified CMV driver and must rent or otherwise acquire a CMV. While this requirement is not unique to military applicants, it can pose more of a problem for them than for their civilian counterparts.

CDL candidates in the civilian sector typically are able to meet this challenge in one of two ways. First, many civilian candidates prepare for careers in the commercial trucking industry by attending a truck driver training school. Typically, the school's tuition includes the availability

of a vehicle and driver for the CDL skills test at no further cost. Second, some civilian CDL candidates prepare for trucking industry careers by first driving smaller vehicles that do not require a CDL for a commercial trucking company. Once they gain sufficient training and on-the-job experience to qualify for a CDL, the trucking company often will provide a vehicle and driver for the CDL skills test.

For Service members and Veterans seeking to qualify for CDLs based on their experience as military CMV drivers, the two types of sponsorship that typically are available in the civilian sector do not apply. For a Service member or Veteran seeking a CDL without sponsorship, the cost of renting a vehicle and hiring a driver can be prohibitive. It is estimated that the charge for a vehicle and a driver for this purpose would be between \$3,500 and \$5,000. Through widespread implementation of the Military Skills Test Waiver, this financial and logistical challenge facing Service members and Veterans has been reduced or eliminated. Current regulations require veterans who wish to take advantage of the Skills Test Waiver to apply within 90 days of separation from active duty. This timeframe can be overly restrictive as military personnel consider future career choices so it would be appropriate for FMCSA to propose to extend the 90-day application period to 1 year in order to allow these service personnel more time to make appropriate decisions.

THE ROLE OF EQUIPMENT, RESTRICTIONS, AND ENDORSEMENTS

Commercial drivers are required to hold additional endorsements in order to operate certain types of vehicles and to transport certain cargo. States also impose restrictions on CDL holders who cannot demonstrate proficiency with specific types of equipment, such as manual transmissions or air brakes. Thus, SDLAs issue endorsements to CDL applicants allowing operation of passenger vehicles or transportation of hazardous materials, based upon demonstrated proficiency via knowledge and skills tests. Whether the CDL has specific restrictions or required endorsements can impact the CDL holder's ability to obtain a position as a CMV driver.

VEHICLE EQUIPMENT AND RESTRICTIONS

The following is a list of CDL restrictions:

- **Transmission restriction** – An applicant who is not able to operate a CMV with a manual transmission will be issued a CDL with a manual transmission restriction and will only be authorized to drive a CMV with an automatic transmission.
- **Air brake restriction** – An applicant who cannot operate a CMV with a full air brake system will be issued one of two types of restrictions:
 - a) an air brake restriction indicates that the driver is restricted from driving a CMV with any type of air brake system; and
 - b) a full air brake restriction indicates that the driver is restricted from driving a CMV with a full air brake system and is only authorized to drive a CMV with an air over hydraulic system (essentially a partial air brake system).

Additionally, an applicant seeking a CDL without an air brake restriction must pass a specialized knowledge test about air brakes.

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- **Tractor-trailer restriction** – An applicant for a CDL for a combination vehicle who does not know how to drive a combination vehicle with a “fifth wheel” connection, which is the standard type of connection for a tractor-trailer vehicle, and who takes the skills test in a combination vehicle with a “trailer hitch” connection, will be issued a CDL with a tractor-trailer restriction and will only be authorized to drive a combination vehicle with a pintle hook or trailer hitch connection.

ENDORSEMENTS

A CDL applicant is required to obtain an endorsement to operate certain types of CMVs. An endorsement requires the applicant to pass a specific knowledge test (and in some cases a skills test) for the type of vehicle the applicant seeks to operate. For example, a CDL holder must have a ‘P’ endorsement to drive a passenger bus or an ‘S’ endorsement to drive a school bus. Endorsements are also needed to operate a double- or triple-trailer or tank vehicle, or to haul hazardous materials. An applicant for a hazardous materials endorsement must pass a security screening process performed by the Transportation Security Administration, as required by the USA Patriot Act (P.L. 107-56, § 1012). Once cleared by TSA, the applicant is eligible to take the knowledge test for the hazardous materials endorsement.

EQUIPMENT LICENSING AND TESTING CHALLENGES FOR SERVICE MEMBERS AND VETERANS

Service members or Veterans seeking a CDL to help them obtain civilian employment may also encounter other technical challenges.

Military CMV drivers are typically trained to operate military CMVs equipped with automatic transmissions. In contrast, most civilian CMVs have manual transmissions. Similarly, most civilian CMVs have full air brakes. However, most military CMVs have air over hydraulic brakes. This brake system is considered a partial rather than a full air brake system. These differences can put Service members or Veterans trying to obtain a CDL at a disadvantage. A Service member or Veteran can obtain a CDL with a manual transmission restriction and also with an air brake restriction. However, trucking industry representatives indicate that trucking companies do not look favorably on job candidates who have restricted CDLs. In contrast, for vehicles such as school buses and passenger buses, Service members and Veterans who operated these types of vehicles in the military have a much better opportunity to gain employment, because military and civilian buses are similarly equipped.

CHAPTER 3 – DRUG AND ALCOHOL REGULATIONS AND MEDICAL QUALIFICATIONS TO ACQUIRE A CDL

FMCSA is responsible for establishing minimum requirements and procedures for employer drug and alcohol testing of drivers. As part of the military driver study required by MAP-21, FMCSA compared the difference between the DoD drug and alcohol testing regulations and monitoring procedures to those required under DOT and FMCSA regulations.

FMCSA is also responsible for establishing minimum physical qualification requirements and procedures for conducting physical examinations that support issuance of a DOT Medical Examiner's Certificate establishing that a commercial driver meets these physical qualification standards.

FMCSA AND DoD STANDARDS FOR DRUG AND ALCOHOL TESTING

In comparing military and civilian drug and alcohol testing requirements, FMCSA has discovered:

- The drug and alcohol testing standards and procedures applied to military Service members are generally similar to the corresponding standards and procedures established under DOT regulations;
- The similarity between the military and DOT standards and procedures for drug and alcohol testing indicate that military service represents positive preparation for this aspect of civilian sector licensing and employment as a CMV driver; and
- The similarity between military and DOT drug and alcohol testing, however, does not establish a basis for Service members and Veterans to be excused from the minimum DOT drug and alcohol testing requirements imposed by motor carrier employers.

MILITARY AND CIVILIAN STANDARDS AND PROCEDURES

Both DOT and DoD require random drug and alcohol testing to detect and deter alcohol and drug abuse and to confirm driver compliance.

DOT's regulations at 49 CFR Part 40, *Procedures for Transportation Workplace Drug and Alcohol Testing Programs*, establish the workplace drug and alcohol testing protocol for the transportation industry. FMCSA's motor carrier-specific regulations are codified at 49 CFR Part 382, *Controlled Substance and Alcohol Use and Testing*. It is important to note that while DOT prescribes the drug and alcohol testing procedures and requirements, it is the civilian motor carrier employer that is responsible for carrying out the requirements.

DoD establishes policy for the military Services to follow through the issuance of a Department of Defense Instruction (DoDI). In the case of drug and alcohol testing standards and procedures, the relevant policies appear in DoDI 1010.01, *Military Personnel Drug Abuse Testing Program (MPDATP)* and DoDI 1010.16, *Technical Procedures for MPDATP*.

DIFFERENCES BETWEEN MILITARY AND CIVILIAN DRUG AND ALCOHOL TESTING

While both DOT and DoD prescribe random drug and alcohol testing procedures, there are some differences between the two programs. Civilian CMV drivers with confirmed positive tests or refusals are immediately removed from duty by their employer and are not permitted to drive

until they have completed the Return to Duty process, which includes seeing a Substance Abuse Professional. Once the Return to Duty process has been completed, the individual may resume driving. Military Service members who test positive for marijuana alone or who test at a 0.05 percent blood alcohol level and who are not alcohol dependent are discharged from military service unless granted a waiver following an assessment of the test in question. Additionally, Service members who refuse to consent to testing upon initial entry to active duty or who test positive for other controlled substances that have not been medically prescribed are discharged from military service.

FMCSA AND MILITARY PHYSICAL EXAMINATIONS

As indicated earlier in this chapter, FMCSA explored whether the physical examinations required to obtain a Medical Examiner's Certificate are a source of application delays or of duplicative application costs for Service members and Veterans. FMCSA studied the cause of delays in reviewing the CDL applications submitted by Service members and Veterans, as well as identifying any duplicative application costs.

- The DOT requirement to obtain a Medical Examiner's Certificate as part of the CDL application process is not a source of undue delay for Service members and Veterans;
- Military exit physical examinations cannot be substituted for the physical examinations required by DOT to obtain a Medical Examiner's Certificate;
- The cost associated with obtaining a Medical Examiner's Certificate as part of the CDL application process is not duplicative of other costs; and,
- Veterans who have suffered physical impairments as a result of military service may be able to qualify as CMV drivers in the civilian sector by obtaining an FMCSA Skills Performance Evaluation certificate.

GENERAL PHYSICAL REQUIREMENTS AND EXAM PROCEDURES

For the safety of the public, civilian CMV drivers are held to higher physical standards than passenger car drivers. Under DOT regulations, all civilian CMV drivers engaged in interstate commerce that operate a CMV that weighs over 10,001 pounds or requires a CDL, are required to be medically examined and certified by a licensed medical examiner. In the future, all medical examiners qualified to perform a CDL medical exam will be required to be certified and listed in the National Registry of Certified Medical Examiners.

All civilian CMV drivers are required to provide a copy of their Medical Examiner's Certificate to their SDLA. Civilian CMV drivers are currently required to carry their Medical Examiner's Certificate while operating a CMV. Normally, a Medical Examiner's Certificate is valid for 2 years, and it is the civilian CMV driver's responsibility to ensure that he or she is re-examined and recertified before the certificate expires. In some special cases, medical examiners may issue a certificate for 1 year in order to more closely monitor specific medical conditions such as hypertension, heart disease, and diabetes. Additionally, when a driver returns from an illness or injury that interferes with the ability to drive a CMV, a medical examination must be conducted even though the most recent Medical Examiner's Certificate has not expired.

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MILITARY EXIT PHYSICAL EXAMINATIONS ARE NOT EQUIVALENT

At the point of separation from the military, all Service members undergo an exit physical examination. The purpose of the exam is to determine if any physical conditions acquired during the course of military service qualify the individual for financial compensation and/or health care services from the Department of Veterans Affairs (VA) following separation from the military. The timing of the exam raises the question of whether, for Service members and Veterans with military CMV experience, it is duplicative of the physical examination required to obtain a DOT Medical Examiner's Certificate.

Careful review of these two examinations indicates that they are fundamentally different. The primary purpose of the military exit physical is to inventory all health conditions of the exiting Service member to determine those conditions that arose during the course of military service. The military exit physical, unlike other military physicals, does not include a fitness for duty standard that the exiting Service member could "pass" or "fail." In contrast, the physical examination for a DOT Medical Examiner's Certificate includes specific standards for determining an applicant's fitness for duty across a broad spectrum of health factors and conditions. Therefore, the military exit physical could not substitute for the physical examination for a DOT Medical Examiner's Certificate.

Although the military exit physical cannot substitute for the DOT-required physical examination, there is an approach that could expedite the application process for those Service members interested in obtaining a CDL after separation from the military. Specifically, if the military Services are willing to authorize specified military medical personnel to become qualified to perform DOT physical examinations, the application process could be expedited for those Service members who are examined by such medical professionals prior to their separation. This would also eliminate the fee that the Service member or Veteran otherwise have to pay for the physical examination. However, it is likely that the cost to the Services to implement this option would be substantial, while the savings for the Service member or Veteran would be relatively modest.

CHAPTER 4 – MILITARY CMV TRAINING, LICENSING, AND EXPERIENCE AS PREPARATION FOR CIVILIAN SECTOR LICENSING AND EMPLOYMENT

Training, licensing, and experience all contribute to preparing military drivers for CDL licensing and civilian employment. However, the military approach to maintaining information on licenses, driver histories and driver experience tends to put Service members and Veterans with military CMV experience at a disadvantage in the civilian sector. In the past, differences between Service members' duty stations and primary residences served to limit their CDL licensing opportunities during active military service, but a recent statutory change has now eased that limitation.

MILITARY DRIVER RECORDKEEPING PROVIDES EMPLOYMENT BARRIERS

Each of the military Services maintains its own system for generating and maintaining records of:

- a) Military CMV licenses;
- b) Military CMV driver histories (e.g., violations and accidents); and
- c) Military CMV driver experience (e.g., miles and/or hours driven).

Even though detailed military driving history is maintained on all primary and incidental military drivers, recordkeeping is not standardized across the Services and is not maintained by DoD at a centralized source. This deficiency impedes sharing of information with the civilian sector and puts Service members and Veterans with military CMV experience at a significant disadvantage as candidates for CDLs and civilian employment.

When Service members and Veterans with military CMV experience approach SDLAs and prospective civilian employers, they cannot easily provide authoritative information about their military CMV licenses, safe driving history, or work experience. In contrast, civilian CMV drivers can provide employers with standardized information on their licenses and driver histories from the centralized sources maintained by SDLAs, and standardized information on their driving experience during previous periods of employment from the centralized sources required to be maintained under FMCSA regulations.

MILITARY CMV TRAINING, TESTING, AND LICENSING

Upon initial assignment to an MOC as a military truck driving specialist, Service members from all three branches that have CMV driver specialties receive their initial training and complete testing at a consolidated training facility located at Ft. Leonard Wood, Missouri. Approximately 6,300 military Services members trained at this single location in fiscal year 2012. Although the facilities and some aspects of the training are shared, each Service follows its own approach and emphasizes training on somewhat different types of military CMVs. In addition to the initial training at Ft. Leonard Wood, all three Services also conduct military CMV training at the military installations where Service members are stationed. Those who are assigned to military CMV driver MOCs receive training at their duty installations for any CMVs that they were not trained to operate during their initial training. Military CMV drivers who have completed training successfully and are qualified physically take a written examination and a performance road test on a specific vehicle.

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Although incidental operators are not assigned to a military CMV specialty they are still required to complete qualification training before being issued military CMV licenses. All incidental operators receive their training at their duty installations and the training is dependent on the command in which they serve and the type of vehicle they will be driving. These operators must pass the vehicle driver or equipment operator written and performance tests on the type of vehicle for which the license is required.

MILITARY CMV LICENSING

Unlike a centralized licensing authority in each State, the licensing authority in the military Services is exercised by commanding officers at Service members' duty stations. Each of the Services maintains its own systems to keep track of information about licensing, driver history, and miles driven by military CMV drivers. Each of the three Services with CMV MOCs requires its personnel to hold a valid military driver's license to drive government vehicles on a military installation.

MILITARY SKILLS TEST WAIVER VALIDATES MILITARY CMV EXPERIENCE

In 2011, FMCSA promulgated a Final Rule allowing a State to offer a Military Skills Test Waiver. The Skills Test Waiver has been widely adopted at the State level. To date, more than 2,000 military personnel have taken advantage of the waiver process across the country. (For the current status of State adoption of the skills test waiver, go to the FMCSA website - <http://www.fmcsa.dot.gov/registration-licensing/cdl/Military-CDL-Waiver.aspx>.)

This regulatory authority allowing the skills test waiver consists of three functional criteria that must be demonstrated by military applicants:

- A safe driving record during the 2-year period prior to applying for the CDL;
- Two years of experience operating a military vehicle representative of the type of CMV for which the Service member or Veteran seeks a CDL; and
- Regular employment in a military position requiring operation of a CMV within 90 days prior to applying for the CDL.

FMCSA collaborated with DoD, the Army, and AAMVA to develop a standardized Military Skills Test Waiver form to document the eligibility of the Service member or Veteran requesting a waiver of the CDL skills test. The signature on the form by the applicant's current or most recent Commanding Officer:

- a) Provides verification to an SDLA that the applicant has met the three regulatory criteria; and
- b) Identifies the key characteristics of the type(s) of military vehicle(s) that the applicant has operated during his/her service.

CHAPTER 5 – RECOMMENDATIONS AND EXPECTED IMPLEMENTATION TO EASE TRANSITION FROM MILITARY SERVICE TO A CIVILIAN CDL

Based on the information obtained while conducting this Study, FMCSA formulated recommendations for action. The recommendations are broken down according to the relevant stakeholder. FMCSA also developed an action plan to address each of its recommendations.

RECOMMENDATIONS FOR FMCSA ACTION

As the agency responsible for setting standards for State issuance of CDLs, FMCSA has actively pursued two related objectives in exercising its regulatory authority:

- a) Protect the public safety to the fullest extent possible; and
- b) Facilitate the issuance of CDLs to qualified Service members and Veterans without compromising public safety.

FMCSA has identified six actions that, when implemented, will expand the opportunities for Service members and Veterans to ease the burden of obtaining a CDL. Four of the following six actions require rulemaking to:

1. Revise 49 CFR 383.77(b)(1) governing the Military Skills Test Waiver to extend the time period to apply for a waiver from 90 days to 1 year following separation from military service;
2. Revise 49 CFR 383.77(b)(3) to add the option to qualify for a CDL based on training and experience in an MOC dedicated to military CMV operation;
3. Revise the definitions of CDL and CLP in 49 CFR 383.5 and 49 CFR 384.212 and related provisions governing the domicile requirement, in order to implement the statutory waiver enacted by The Military Commercial Driver's License Act of 2012;
4. Work with AAMVA to facilitate development of an abbreviated CDL Skills Test for States to administer for military drivers that do not have experience operating vehicles with air brakes and/or manual transmissions;
5. Continue to explore other best practices that deserve consideration for wider implementation to ease the transition from military occupations to a job requiring a CDL; and
6. Explore waiving the requirement for pre-employment drug testing of recently discharged military personnel due to their participation in a random drug testing program.

FMCSA is at the early stages of regulatory development for the first three recommendations. The fifth recommendation has been implemented as a result of partnerships already developed.

RECOMMENDATIONS FOR MILITARY SERVICES' ACTION IN PARTNERSHIP WITH AAMVA AND SDLAS

In conjunction with anticipated FMCSA regulatory actions, there are steps the military Services might consider to facilitate the issuance of CDLs to Service members and Veterans. While the core objectives of the military Services do not align directly with the requirements for civilian licensure and employment, both the Legislative and Executive Branches of the Federal Government continue to express strong interest in taking the fullest possible advantage of the opportunities for civilian application of the skills and qualifications developed by Service members during their tenure in the military.

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In light of that interest, and with a clear awareness of the fiscal constraints under which the military Services currently operate, FMCSA recommends that:

1. Military Services formalize a partnership with AAMVA to adopt the AAMVA Model for the skills testing of CMV trainees;
2. Military Services, in partnership with the SDLAs, qualify as third party examiners to facilitate issuance of CDLs to Service members at the military location;
3. Army and Marine Corps, in partnership with AAMVA and the SDLAs, identify best practices based on the National Defense Authorization Act Truck Driver Pilot and move to adapt those recommendations;
4. Military Services cooperate with FMCSA and AAMVA to clarify options available to Service members and Veterans to obtain existing information on military licenses, military CMV driver history, and military CMV experience;
5. Service branches explore approving military medical personnel to become certified Medical Examiners under FMCSA standards, to allow them to conduct physical examinations and issue Medical Examiner Certificates to military service members near the point of separation; and
6. Military Services participating in the Work Group established by the White House CDL Action Plan cooperate with DoD and FMCSA to clarify the legal and liability aspects of any initiative involving industry representatives willing to loan civilian CMV equipment to military installations.

FMCSA expects that recommendations 1 and 2 above will be implemented in late 2013, while the other recommendations could be implemented as early as the middle of calendar year 2014. FMCSA is already working with AAMVA and DoD to consider the feasibility of each these recommendations.

To implement these strategies, FMCSA will work with AAMVA and DoD to:

- Schedule a visit of the AAMVA Test Maintenance Subcommittee to Ft. Leonard Wood in order to review the military CMV testing procedures implemented by all three Service branches;
- Cooperate in facilitating the administrative process allowing the issuance of CDLs to Service members who successfully complete CMV training at Ft. Leonard Wood;
- Build upon the lessons learned in conducting the DoD's Truck Driver Pilot;
- Clarify, through participation in the CDL Action Plan Work Group, the legal and liability aspects of any initiative by industry representatives willing to loan civilian CMV equipment to military installations; and
- Explore approaches to providing Service members and Veterans who have military CMV experience with access to the information maintained by the Services about their military careers as CMV drivers.

RECOMMENDATIONS FOR SDLAs ACTION IN PARTNERSHIP WITH THE MILITARY SERVICES

Just as the SDLAs have played a key role in the rapid and widespread adoption of the Military Skills Test Waiver, FMCSA is confident the SDLAs will continue to take steps to ease the issuance of CDLs to Service members and Veterans.

In that context, FMCSA offers three suggestions about actions that SDLAs might take in partnership with the military Services:

1. Conduct CDL testing at military installations where appropriate;
 2. Encourage SDLA leadership to meet with local base commanders in an effort to allow military personnel to conduct CDL testing at a limited number of military installations or implement a Military for State CDL exchange program; and
 3. Develop a relationship with military training and testing facilities to provide CDL knowledge and skills testing at the conclusion of the military driver initial training. Also provide testing opportunities for military drivers in the middle of their service obligation rather than closer to the date of discharge or separation.
- FMCSA, in partnerships with various DoD offices, has already begun to explore opportunities to increase partnership with States and local base commanders leading to CDL testing on military installations; and
 - FMCSA is already discussing uniform standards and opportunities to increase third party CDL testing on military installations.

Accelerated Licensing Procedures for Service Members and Veterans

| Status | Target Group | Key Criterion | Key Advantage |
|---------------|---|--|---|
| Current | All Service Members and Veterans with Military CMV Experience, Including incidental operators | Two Years of Experience Driving a Representative Military CMV | Implements One Alternative to Civilian CDL Skills Testing |
| Proposed | Service Members and Veterans with Experience in a Military Occupational Specialty for CMV Drivers | Training, Testing and Assignment to a Military CMV Specialty | Would Offer a Second Alternative to Civilian CDL Skills Testing |
| Proposed | Service Members and Veterans with Experience in a Military Occupational Specialty for CMV Drivers | A Military CMV License with Applicable Vehicle Specifications | Would Offer a Third Alternative to Civilian CDL Skills Testing |
| Proposed | Service Members Newly Entering a Military Occupational Specialty for CMV Drivers | Passing an AAMVA Model Skills Test Upon Completion of Training | Could Be Implemented Without Regulatory Action by FMCSA |